

Examiner-Initiated Interview Summary

Application No.

10/561,055

Applicant(s)

HOLMES ET AL.

Examiner

MLouisa Lao, Ph.D.

Art Unit

1621

All Participants:(1) MLouisa Lao, Ph.D.(2) Ms. Grace Hsu, Esq.**Status of Application:** _____

(3) _____

(4) _____

Date of Interview: _____**Time:** _____**Type of Interview:**

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☒ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.**Rejection(s) discussed:**

none

Claims discussed:

2,4,6,7,8

Prior art documents discussed:

no

Part II.**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:***Restriction of Group I and Group II. Allowance of Group I (see continuation sheet)***Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

After a patentability conference with Mr. Thurman Page, JD (SPE of art unit), the attorney, Ms Grace Hsu, Esq., applicants' representative was called to make an election of the inventions as tabulated below. In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 2 and 6-8, drawn to a compound with formula (Ia) and the method of making said compound, as recited; and a pharmaceutical composition comprising a compound of formula (Ia), pharmaceutically acceptable carriers or diluents, or anti-infective agents.

Group II, claim(s) 4 drawn to a method for treatment of a human or animal with an autoimmune disorder or an inflammatory condition, where said disorders are recited, therein.

As per the telephone interview with Ms. Hsu, Esq., Applicants are electing Group I (claims 2 and 7) with traverse, thus reserving the right to pursue the other invention of this application at a later date. Attorney agreed to the cancellation of claim 4, as drawn to non-elected invention.

IN THE CLAIMS:

Please cancel CLAIM 4.

In CLAIM 6, please add "and" before "pharmaceutically acceptable carriers or diluents". Please delete the phrase, "and optionally one or more other therapeutic agents selected from anti-inflammatory agents, NSAIDS, beta adrenergic agents,"

In CLAIM 8, please re-word the claim to recite:

The pharmaceutical composition according to claim 6 further comprising one or more therapeutic agents, selected from anti-inflammatory agents, NSAIDS, beta-adrenergic agents and anti-infective agents, wherein: the anti-inflammatory agents are selected from corticosteroids selected from fluticasone propionate, beclomethasone dipropionate, mometasone furoate, triamcinolone acetonide or budesonide);

the NSAIDs are selected from sodium cromoglycate, nedocromil sodium, PDE-4 inhibitors, leukotriene antagonists, CCR-3 antagonists, iNOS inhibitors, tryptase and elastase inhibitors, beta-2 integrin antagonists and adenosine 2a agonists;

the beta adrenergic agents are selected from salmeterol, salbutamol, formoterol, fenoterol or terbutaline and salts thereof; or

the anti-infective agents are selected from antibiotics or antivirals.